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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Shirley Bishop,

10 Plaintiff,

11 v.

12 Frank Reyes, et al.,

13 Defendants.
14

No. CV-16-00009-PHX-ESW

ORDER

15 Plaintiff has consented to the exercise of Magistrate Judge jurisdiction (Doc. 7).
16 Pending before the Court is Plaintiff's Amended Complaint (Doc. 10). The Court,
17 however, must screen the Amended Complaint (Doc. 10) before it is allowed to be
18 served. 28 U.S.C. § 1915(e)(2). As the Ninth Circuit Court of Appeals has explained,
19 "section 1915(e) not only permits but requires a district court to dismiss an *in forma*
20 *pauperis* complaint that fails to state a claim." *Lopez v. Smith*, 203 F. 3d 1122, 1127 (9th
21 Cir. 2000).

22 In the Court's Order (Doc. 9) filed on May 19, 2016, the Court identified the
23 deficiencies of Plaintiff's original Complaint (Doc. 1). The Court set forth the
24 requirements of Rule 8, Fed. R. Civ. P., as well as the law involving the filing of a claim
25 for relief pursuant to 42 U.S.C. § 1983. The Court has reviewed Plaintiff's Amended
26 Complaint (Doc. 10). The Court finds that Plaintiff has failed to state a claim upon which
27 relief may be granted. *See Rizzo v. Goode*, 423 U.S. 362, 371-72, 377 (1976). Plaintiff
28 has failed to cure the deficiencies noted in the original Complaint. The Court will

1 dismiss Plaintiff's Amended Complaint (Doc. 10) without prejudice.

2 **CONCLUSION**

3 For the reasons set forth above,

4 **IT IS ORDERED** dismissing without prejudice Plaintiff's Amended Complaint
5 (Doc. 10).

6 **IT IS FURTHER ORDERED** directing the Clerk of Court to terminate this
7 action.

8 Dated this 30th day of June, 2016.

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11 Eileen S. Willett
12 United States Magistrate Judge
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